

REIMBURSING THE STATE OF WYOMING.

JUNE 15, 1898.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

MR. OSBORNE, from the Committee on Claims, submitted the following

REPORT.

[To accompany S. 3140.]

The Committee on Claims, to whom was referred the bill (S. 3140) for relief of State of Wyoming, having given same due consideration, beg leave to submit the following report:

This is a bill to reimburse the State of Wyoming for money expended in policing and protecting the Yellowstone National Park against the depredations of game poachers and vandals after said park was reserved from the public domain, the evidence before the committee proving that the National Government did not provide for practicable protection against spoliation and lawlessness until the sundry civil appropriation act for the fiscal year 1884, the following amendment to which directed a detail of troops for that purpose:

The Secretary of War, upon the request of the Secretary of the Interior, is hereby authorized and directed to make the necessary detail of troops to prevent trespassers or intruders from entering the park for the purpose of destroying the game or objects of curiosity therein, or for any other purpose prohibited by law, and to remove such persons from the park if found therein.

The Secretary of War, upon the request of the Interior Department, and pursuant to the authority above referred to, did detail a troop of cavalry on the 10th day of April, 1886, for service in the park, and since that time troops have continuously served there under United States Army officers who have acted as superintendents. In the interval from 1882 to 1886 three different civil superintendents of the Yellowstone National Park were commissioned, but all resigned, or were removed for want of sufficient appropriations to pay for their services. It was during this period when the great danger of permanent devastation and spoliation was imminent that the Territory of Wyoming was appealed to and responded with legislation—a copy of which appears in this report—and appropriations to inaugurate and enforce proper protection until the Government should order there the necessary detail of troops.

The Yellowstone National Park was not only remote from the national

seat of government, but it was over 1,000 miles in an ordinarily traveled route from the capital of Wyoming, and 600 miles by the regularly traveled route from the county seat of Uinta County, Wyo., the nearest seat of government. This vast tract of territory, eighty times larger than the District of Columbia and almost twice as large as the State of Connecticut, was, by reason of a failure to promptly order the necessary detail of troops in compliance with the authority granted in the amendment above referred to, left at the mercy of hide hunters and vandals who were attracted there from all portions of the world as soon as its great natural curiosities and abundance of game became known.

The Territory of Wyoming, taking a natural pride in this great wonderland, and desirous of looking after the interests of the Government, being appealed to by the Secretary of the Interior and others (see copies of letters hereto attached), appropriated, as is shown in the copy of a bill hereto attached, reference to which has already been made, \$8,750 for policing the park and protecting its great natural curiosities, and for the detection and punishment of misdemeanors and crimes within its borders.

A certified copy of the accounts and expenditures under the seal of the State of Wyoming (see copy of certificate of William O. Owen, State auditor, hereto attached) has been furnished your committee and carefully examined by its members. Among other items is one of \$500 for the erection of a jail building, which, at last accounts, was still used by the Government. From the above amount appropriated have been deducted fines which were paid into the Territorial treasury by parties arrested and convicted of the commission of misdemeanors, leaving the balance asked for in this bill, namely, \$7,780.44, due to the State of Wyoming.

[Chapter 103. Yellowstone National Park.]

AN ACT to render operative and effectual the laws of the Territory of Wyoming within that portion of the Yellowstone National Park lying within said Territory, and to protect and preserve the timber, game, fish, and natural objects and curiosities of the park, and to assist in preserving the rights of the United States therein.

Be it enacted by the council and house of representatives of the Territory of Wyoming, That all that portion of the Yellowstone National Park, as the boundaries and limits thereof are now defined and fixed, or may hereafter be fixed and defined by the laws of the United States of America, lying and being situate within the Territory of Wyoming, shall be, and the same is hereby, made a part of the county of Uinta, in said Territory.

SEC. 2. That all of the said Yellowstone National Park lying within this Territory, and which by the first section of this act is made a part of the county of Uinta, is hereby erected and made a precinct of the said county, and the board of county commissioners of said county shall fix one or more voting places within the said precinct at least thirty days before the time fixed for holding the next regular election for county officers in said county.

SEC. 3. That immediately after the passage of this act the governor shall appoint, by and with the advice and consent of the council, if the council be in session, otherwise the governor shall appoint, two justices of the peace and two constables for the said precinct of the Yellowstone National Park, in said county of Uinta, who shall be considered as officers of said county, and who shall, respectively, hold their offices until the first Monday in January, in the year of our Lord one thousand eight hundred and eighty-five, and until their successors are elected or appointed and qualified according to this act: *Provided*, That the governor may remove for good cause any of the said officers elected or appointed, and shall have power to fill any vacancy in any of the said offices caused by such removal, or by the death, resignation, failure to act, or any vacancy arising from any cause, for the unexpired term of such officer or officers.

SEC. 4. That at the next general election of county officers to be holden within the said county of Uinta, there shall be elected two justices of the peace and two constables from the qualified electors of said precinct, to hold their respective offices for

the term of two years from the first Monday in January, eighteen hundred and eighty-five, and until their successors are elected or appointed and qualified according to this act: *Provided*, That any citizen of the United States over the age of twenty-one years, who shall have resided in said precinct at least thirty days prior to said election, shall be entitled to vote for the said precinct officers, but for other officers voted for at said election the qualifications of electors in said precinct shall be as are now or as may be hereafter fixed by the laws of this Territory.

SEC. 5. That all laws of the Territory of Wyoming are hereby made operative over that portion of the said Yellowstone National Park lying within this Territory, and that justices of the peace therein shall have such criminal and civil jurisdiction as is now or may hereafter be conferred by law upon justices of the peace, and all rules of practice and proceedings in the courts of the said justices of the peace in said precinct shall be the same as are now prescribed by law, but no change of venue shall be granted in any case in this precinct; and the constables of said precinct shall perform such duties and exercise such powers as are now or may hereafter be performed and exercised by constables or sheriffs under the laws of this Territory.

SEC. 6. That any offense or crime defined by the laws of the United States of America or by the rules and regulations of the Secretary of the Interior thereof for the government of the Yellowstone National Park, or for the protection of the game, fish, timber, curiosities, natural objects, or other property therein from spoliation, defacement, damage, or destruction, or for any other purposes, or for the punishment of any crime or offense therein, shall be in force in said park the same as the laws of this Territory, and any violation thereof shall be held and deemed to be a misdemeanor, and upon conviction thereof the offender shall be punished by a fine of not exceeding one hundred dollars, or by imprisonment in the county jail for a term not exceeding six months: *Provided*, That this section will not apply to any portion of said park not within the Territory of Wyoming.

SEC. 7. That it shall be unlawful for any person, whether resident or visitor, to deface, injure, or remove any part, portion, or particle of the natural curiosities or objects of interest, or anything whatever within the Yellowstone National Park, whether tree, rock, stone, shrubbery, earth, geyser formation, grass, or anything whatever, except that it may be permissible to use timber or any other thing not objects of curiosity or of interest or adding to the scenic attractions of the said park for the necessary purposes of fuel or house building, or any domestic, useful, or necessary purpose not prohibited by the laws of the United States or the rules and regulations of the Secretary of the Interior; and any person so offending shall be guilty of a misdemeanor, and shall, on conviction thereof, be punished by a fine not exceeding one hundred dollars, or by imprisonment in the county jail not exceeding six months.

SEC. 8. That the killing, wounding, or capturing, at any time, of any buffalo, bison, moose, elk, deer, mountain sheep, Rocky Mountain goat, antelope, beaver, otter, martin, fisher, grouse, prairie chicken, pheasant, fool hen, partridge, quail, wild goose, duck, eagle, magpie, swan, heron, sparrow, robin, meadow lark, thrush, goldfinch, flicker or yellow hammer, black bird, oriole, jay, snow bird, or any of the small birds commonly known as singing birds, is prohibited within that part of said park lying within the Territory of Wyoming; nor shall any fish be taken out of the waters of said portion of the park by means of seines, nets, traps, or by the use of drags or any explosive substances or compounds, or in any other way than by hook and line. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined for each offense not less than twenty nor more than one hundred dollars, or by imprisonment for not more than six months, or by both such fine and imprisonment. Possession of the dead bodies, or any part thereof, of any of the animals or birds hereinbefore mentioned, shall be prima facie evidence that the person or persons having the same are guilty of violating this act. Any person or persons, or stage, express, or railroad company receiving for transportation any of the animals, birds, or fish named herein, knowing, or having reasonable cause to believe, that such animals, birds, or fish were killed or captured in violation of this act shall be deemed guilty of a misdemeanor, and shall forfeit and pay for every such offense the sum of two hundred and fifty dollars, to be recovered by a proceeding in the nature of an information before any Territorial or United States district court within whose jurisdiction such offense was committed; and it shall be the duty of the district attorney of the United States for such Territory or district to institute and prosecute said proceeding in the name of the United States, the amount collected from the party offending to be paid into the Treasury of the United States.

SEC. 9. That the justices of the peace and constables of said precinct shall, before entering upon their respective offices, take and subscribe an oath to support the Constitution and laws of the United States, the organic act and laws of this Territory, and to faithfully perform the duties of their offices to the best of their ability, which oath may be taken before any person authorized to administer oaths under

the laws of this Territory; but if no such person authorized to administer an oath be accessible, then such justices of the peace shall administer the oath to each other with like effect in all proceedings, both civil and criminal, as though the oath had been administered by a person authorized to administer oaths, and the said constables may take such oaths before either of said justices of the peace when qualified. Each of the said officers shall make, execute, and file a bond in the amount, within the time, and in the same manner as is provided by the laws of this Territory relating to the qualification of justices of the peace and constables.

SEC. 10. That such officers, when qualified, shall hold their offices within said precinct, and one of the said justices of the peace shall keep his office at or near the Lower Fire Hole Basin, and the other at or near the Mammoth Hot Springs, in the said Yellowstone National Park. Each constable appointed or elected within said precinct shall properly equip himself with a horse and all other necessary equipment for the apprehension, pursuit, and capture of offenders or persons accused of any crime or offense against the laws of this Territory.

SEC. 11. Each justice of the peace within said precinct shall receive an annual salary of three hundred dollars, payable monthly, and each constable within said precinct shall receive an annual salary of four hundred dollars, payable monthly, and one hundred dollars for a horse and equipments. The said officer shall, in addition to such salary, receive such fees in civil and criminal cases as are now or may hereafter be paid to like officers under the laws of this Territory.

SEC. 12. That all fees collected by the justices of the peace in criminal or civil cases shall be retained by said justices of the peace, and paid to them or to the constables and persons entitled to the same, but certified statements thereof shall be transmitted monthly by the said justices to the Territorial treasurer and Territorial auditor; and all fines collected under the provisions of this act shall be paid over to the justices of the peace, and such justices shall monthly transmit the same by some safe mode of conveyance to the Territorial treasurer, who shall place the same to the credit of the Yellowstone National Park fund; and the said justices shall at the time of transmitting such fines so collected forward to the Territorial auditor a certified statement of the same, stating in what causes the same were assessed and collected.

SEC. 13. That all persons accused of crimes and offenses, held for trial and bound over by the said justices of the peace within said precinct, shall be sent to the county seat of Uinta County for trial before the district court of said county.

SEC. 14. That the expenses of all criminal prosecutions, trials, and examinations of offenses committed within the limits of said precinct, either before a justice of the peace in said precinct or the district court of Uinta County, and the salaries and fees allowed to the said justices of the peace and constables, shall be borne and paid by the Territory of Wyoming and not by the county of Uinta. And the sum of eight thousand dollars, or so much thereof as may be necessary, not otherwise appropriated, is hereby appropriated, out of the Territorial treasury, for the payment of salaries and fees in criminal cases; for the said justices of the peace and constables within said precinct, and for all expenses attending the arrest, apprehension, examination, and trial of all persons accused of violating any of the laws of this Territory within said precinct or before the district court of Uinta County; for the erection, maintenance, and repair of a guardhouse or jail therein; for the maintenance, care, and transportation of prisoners and all persons accused of crime or offenses committed in said precinct, and for all other purposes contemplated by this act. It shall be the duty of the judge of the district court in and for the county of Uinta to approve all just claims, fees, and compensation of jurors, witnesses, and all other expenses connected with the trial of persons accused of crimes or offenses committed within the said precinct, and shall transmit the same to the Territorial auditor for auditing and allowance, and the auditor shall draw a warrant upon the Territorial treasurer in favor of the said claimants, and the Territorial treasurer shall pay the same out of the funds in his hands appropriated and received for that purpose. The justices of the peace of said precinct shall transmit their claim for said salary and uncollected fees in criminal cases, properly certified, to the Territorial auditor, who shall audit and allow the same and draw a warrant upon the treasury for the amount thereof, and said warrant shall be paid by the Territorial treasurer on presentation. The constables of said precinct shall transmit their claims, verified by their oaths that the same are just and correct, and that they have been vigilant in the performance of their duties, and have patrolled that portion of said precinct containing natural curiosities and objects of interest at least twenty days in each month then passed, from the fifteenth day of May until the fifteenth day of November; and a warrant shall be drawn therefor by the auditor and paid by the treasurer as in other cases. And this appropriation is made in the faith and belief that the United States will reimburse the amounts hereof and relieve this Territory from the payment of the same.

SEC. 15. The constables and justices of the peace, or a majority of them, shall cause a suitable guardhouse or jail to be erected at or near the Lower Fire Hole

Basin, in the said precinct, under their supervision, at a cost not exceeding one thousand dollars, for the confinement and incarceration of persons awaiting examination or trial before the justices of the peace of said precinct or the district court in and for the county of Uinta; and one of said constables, whose office shall be at said place, shall have charge of said guardhouse or jail, and shall be paid, in addition to his salary and fees as provided in this act, the sum of one dollar per day for keeping and maintaining each of said prisoners or persons accused of crime confined therein: *Provided*, That all persons held for trial by the said justices of the peace before the district court of Uinta County shall be, by the sheriff of Uinta County, conveyed, with all due and convenient speed, to the common jail in Uinta County, to be therein confined for trial, and such sheriff shall be entitled to the same fees as are now provided by law for keeping and maintaining such prisoners, and it shall be the duty of the said justices of the peace, upon committing any party for trial, to immediately notify the sheriff thereof.

SEC. 16. That nothing in this act contained shall be so construed as to interfere or attempt to interfere in any manner with any of the rights, property, or interest, rights, franchises, and easements of the United States of America of, in, and to the Yellowstone National Park, or any part thereof, but the object and intent of this act is to assist and aid the Government of the United States in keeping and maintaining the said park as a place of resort.

SEC. 17. That one-half of all the fines assessed against offenders under the provisions of this act shall be paid to the officer or other person who appears as the prosecuting witness or informer, and the residue shall be paid into the Territorial treasury, as is hereinbefore provided.

SEC. 18. That five hundred copies of this act be, and the same are hereby, ordered to be printed and furnished to the said justices of the peace within said precinct for distribution, and all expenses attending the printing, mailing, or sending by express of the same shall be paid out of the Territorial treasury to the charge of said fund, as hereinbefore provided.

SEC. 19. That all acts and parts of acts in conflict with the provisions of this act be, and the same are hereby, repealed, in so far as the same conflict with this act.

SEC. 20. That this act shall take effect and be in force from and after its passage.

Approved, March 6, 1884.

The following are also found in the Wyoming laws of 1884:

[Section 14.—Chapter 103.—Laws of Wyoming Territory, 1884, approved March 6, 1884, making an appropriation to render operative and effectual the laws of Wyoming Territory within the boundaries of the Yellowstone National Park and to assist in preserving the rights of the United States therein.]

SEC. 14. That the expenses of all criminal prosecutions, trials, and examination of offenses committed within the limits of said precinct, either before a justice of the peace in said precinct or the district court of Uinta County, and the salaries and fees allowed to the said justices of the peace and constables shall be borne and paid by the Territory of Wyoming, and not by the county of Uinta. And the sum of eight thousand dollars, or as much thereof as may be necessary, not otherwise appropriated, is hereby appropriated out of the Territorial treasury for the payment of salaries and fees in criminal cases for said justices of the peace and constables within said precinct, and for all expenses attending the arrest, apprehension, examination, and trial of all persons accused of violating any of the laws of this Territory within said precinct or before the district court of Uinta County; for the erection, maintenance, and repair of a guardhouse or jail therein; for the maintenance, care, and transportation of prisoners and all persons accused of crime or offenses committed in said precinct, and for all other purposes contemplated by this act.

It shall be the duty of the judge of the district court in and for the county of Uinta to approve all just claims, fees, and compensation of jurors, witnesses, and other expenses connected with the trial of persons accused of crimes or offenses committed within said precinct, and shall transmit the same to the Territorial auditor for auditing and allowance, and the auditor shall draw a warrant upon the Territorial treasurer in favor of the said claimants, and the Territorial treasurer shall pay the same out of the funds in his hands appropriated and received for that purpose. The justices of the peace of said precinct shall transmit their claim for said salary and uncollected fees in criminal cases, properly certified, to the Territorial auditor, who shall audit and allow the same and draw a warrant upon the treasurer for the amount thereof, and said warrant shall be paid by the Territorial treasurer on presentation. The constables of said precinct shall transmit their claims, verified by their oaths that the same is just and correct, and that they have been vigilant in the performance of their duties, and have patrolled that portion of said precinct containing natural curiosities and objects of interest at least twenty days in each month then passed, from the fifteenth day of May until the fifteenth day of Novem-

ber, and a warrant shall be drawn therefor by the auditor and paid by the treasurer as in other cases; and this appropriation is made in the faith and belief that the United States will reimburse the amounts hereof and relieve this Territory from the payment of the same.

[Section 3.—Chapter 58.—Laws of Wyoming Territory for 1884, approved March 7, 1884.]

SEC. 3. That the sum of two hundred and fifty dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated, out of the Territorial treasury, from any funds not otherwise appropriated, to pay the expenses of the publication, in pamphlet form, of two hundred and fifty copies of all United States and Territorial laws appertaining to the Yellowstone National Park.

[Law making appropriation for payment of telegrams relating to Yellowstone National Park. Laws of Wyoming, 1884, chapter 6, section 20, approved March 7, 1884.]

SEC. 20. That the sum of five hundred dollars, or so much thereof as may be necessary, be appropriated out of the funds in the Territorial treasury not otherwise appropriated, to cover the cost of transmission by wire to Honorable M. E. Post, a certain law and joint memorial and resolution regarding Yellowstone National Park matters, and other incidental expenses pertaining to the same subject. The Territorial auditor is hereby authorized to draw warrants for sums so expended under the approval of A. T. Babbitt, chairman joint committee on Yellowstone National Park.

[Yellowstone National Park Improvement Company, office vice-president and general manager.]

MAMMOTH HOT SPRINGS, WYO., *May 15, 1883.*

SIR: I have the honor to invite your attention to the insufficiency of the means at present provided for the arrest and punishment of offenders against the laws and the rules and regulations of the Secretary of the Interior governing the Yellowstone National Park.

I am advised that the laws of the Territories of Wyoming, Montana, and Idaho apply to the portions, respectively, of the park formerly within the limits of these Territories. The greater portion—in fact, nearly the whole—of the park is therefore for legal purposes subject to the jurisdiction of Wyoming. At present the nearest law offices and courts of that Territory are so remote from the park as to render a resort to them for the arrest and punishment of offenders altogether impracticable.

The time necessarily consumed in communication affords ample opportunity for the escape of offenders, and the result is that the laws may be violated without fear of molestation or punishment.

It is doubtful whether the superintendent and his assistants have any authority to arrest for offenses against the rules and regulations established by the Department. He certainly has none to arrest or punish for the violation of the laws of the United States or of a Territory.

The Yellowstone National Park Improvement Company have now their arrangements well under way for the accommodation of the public, and with the convenience thus afforded to tourists the number visiting the park will be greatly in excess of any former year.

This increase of visitors, together with the convenience of access of residents of adjoining Territories following from the completion of the Northern Pacific Railroad to within a comparatively short distance from the park, seems to render it absolutely necessary that there should be additional and more practicable means of prevention of violation of law and order and for the protection of life and property within the park.

I have therefore to ask that you will give the matter careful consideration, and take such action as you may deem best for the public interest in the direction indicated. If the superintendent, or some other judicious person whose duties require his presence within the park, could be clothed with the powers of a justice of the peace by the Territory of Wyoming, and such number of constables also appointed as may be deemed advisable, it is believed the desired protection could be attained.

In whatever may be done toward perfect security of life and property and the enforcement of law and order within the park the officers and employees of the Yellowstone Park Improvement Company will cordially cooperate.

I am, very respectfully, yours,

C. T. HOBART,
Vice-President and General Manager
Yellowstone National Park Improvement Company.

Hon. H. M. TELLER,
Secretary of the Interior.

DEPARTMENT OF THE INTERIOR,
Washington May 25, 1883.

SIR: I inclose herewith a copy of a letter addressed to this Department on the 15th instant by Mr. C. T. Hobart, vice-president and general manager of the Yellowstone National Park Improvement Company, relative to the inadequacy of the means at present existing for the arrest and punishment of violators of the laws and the regulations in force over the Yellowstone National Park.

It is the duty of the superintendent of the park to preserve order and to prevent infractions of the regulations established by the Secretary of the Interior; but he has no authority whatever in the matter of violations of the laws of the United States and of the Territories in force over the park.

The nearest Territorial officers having jurisdiction are so far distant that recourse to them is practically useless, and as a result there are no available means of prevention of crime nor of arrest for the offenses committed within the park.

The attention of the Department was directed to this matter by your letter of the 13th of February last, in which you suggested that the desired result could be attained by authorizing the judge of the third judicial district of Wyoming to hold a term of court at some time between the months of May and September within or near the park in Uinta County. The time and place of holding the court would seem to be a matter properly for determination by the legislative assembly of the Territory, as provided in section 1919 of the United States Revised Statutes. I will state, however, that if the holding of court within the park be authorized, the Department, through the superintendent, will cheerfully extend to the Territorial officers, while thus engaged, every facility at its command.

It would appear to be of primary importance, however, that there should be officers within convenient reach clothed with authority to prevent violations of law and for the arrest and speedy trial of persons charged with minor offenses, and I have to request that you will give the subject your earliest consideration and favor the Department with your views as to what arrangement can be perfected, under the laws of Wyoming, in the direction of requiring strict observance of law on the part of all persons within the park.

Very respectfully,

H. M. TELLER,
Secretary.

Hon. WILLIAM HALE,
Governor of Wyoming, Cheyenne.

TERRITORY OF WYOMING, EXECUTIVE DEPARTMENT,
Cheyenne, July 31, 1883.

SIR: I have the honor to transmit herewith a copy of all the correspondence with the county commissioners of Uinta County in regard to providing for the arrest and punishment of offenders against law in the Yellowstone National Park.

Please refer to your communication to this office under date of May 25, 1883, "Misc. 906."

Very respectfully,

WM. HALE,
Governor of Wyoming.

Hon. H. M. TELLER,
Secretary of the Interior, Washington, D. C.

TERRITORY OF WYOMING, EXECUTIVE DEPARTMENT,
SECRETARY'S OFFICE,
Cheyenne, June 5, 1883.

GENTLEMEN: I have the honor to herewith transmit copies of correspondence in regard to providing for the arrest and punishment of offenders against law in the Yellowstone National Park, to wit:

A letter from C. T. Hobart, vice-president and general manager of the Yellowstone National Park Improvement Company, to Hon. H. M. Teller, Secretary of the Interior; a letter from Hon. H. M. Teller, Secretary of the Interior, to Hon. William Hale, governor of Wyoming; and a letter from E. S. N. Morgan, secretary and acting governor of Wyoming, to Hon. H. M. Teller, Secretary of the Interior.

I respectfully invite your early consideration of the important subject contained in the correspondence named.

It is claimed that many thousands of persons will visit the park the present season, the number will largely increase from year to year, and the importance to

Wyoming and Uinta County of speedily as possible establishing legal jurisdiction in the park can not, in my judgment, be overestimated.

Hon. Jesse Knight, of your county, was here when I received the letters referred to. I was glad to have the opportunity of calling the attention of a citizen of Uinta County to the interest of the county in the subject, and requested him to speak to you about it, as we talked the matter over at some length.

Very respectfully,

E. S. N. MORGAN,
Secretary and Acting Governor.

THE COUNTY COMMISSIONERS OF UINTA COUNTY,
Evanston, Wyo.

EVANSTON, WYO., June 20, 1883.

DEAR SIR: At an informal meeting of our county commissioners, held in my office last evening, your communication and also those of Hon. H. M. Teller and C. T. Hobart were read and contents carefully considered.

The commissioners requested me to say that they were willing and anxious to do anything they could in the matter. But, under our existing election laws, they can not see their way clear, and if you can give them any points or make any suggestions they will be thankfully received.

Yours, truly,

JOHN STONE, *County Clerk.*

E. S. N. MORGAN, Esq., *Secretary of Wyoming.*

EVANSTON, WYO., July 25, 1883.

DEAR SIR: Your communication to the board of commissioners, of date July 6, 1883, has been handed me, with a request that I reply to the same. Our board are anxious to take any legal steps they can which will accomplish the object mentioned in your previous letters, but I am unable to find any law that would authorize the steps mentioned in your last, so that the object could be effectually reached. At best, an officer acting under such action of the board would have but a shadow of authority under which to act, and which, in my opinion, could be successfully attacked. I believe the matter can only be fully reached before the next general election by some action of the legislature, either in their next regular session or at special session called for that purpose.

Yours, truly,

C. D. CLARK,
County Attorney.

Hon. E. S. N. MORGAN,
Secretary Wyoming Territory, Cheyenne, Wyo.

And so the legislature of Wyoming took the matter up, making special laws to fit the case, and for the protection and preservation of "national objects and curiosities," as well as for "timber, game, fish," etc.

The following is copy of a letter from Hon. M. E. Post, then Delegate in Congress, to the Secretary of the Interior, accompanying copy of Wyoming law:

HOUSE OF REPRESENTATIVES,
Washington, D. C., April 12, 1884.

DEAR SIR: I have the honor to transmit herewith a copy of a law recently passed by the legislative assembly of the Territory of Wyoming, providing judicial authority for the Yellowstone National Park lying within the boundaries of said Territory.

The justices of the peace and constables provided for will be appointed at an early date, if it has not already been done.

There are two United States marshals and two United States commissioners, legally appointed by the officials of the Territory of Wyoming, permanently located in the park, duly qualified to act.

The people of Wyoming are deeply interested and feel a natural pride in all that pertains to this great wonderland, situated as it is within the limits of our boundaries. In the future, as in the past, they will be found ready and willing at all times to actively enforce the laws for the protection of life and property.

Very respectfully,

M. E. POST.

Hon. HENRY M. TELLER,
Secretary of the Interior, Washington, D. C.

STATE OF WYOMING,
Office of the State Auditor.

UNITED STATES OF AMERICA, *State of Wyoming*, ss:

I, William O. Owen, state auditor of the State of Wyoming, do hereby certify that the annexed is a full, true, and correct abstract of the appropriations made by the Territorial legislature of Wyoming to defray the expenses incurred in connection with the administration of affairs in the Yellowstone National Park during the years of 1884, 1885, and 1886, as the same appears of record in this office.

I further testify that the amounts set forth in the annexed abstract have been paid by the State of Wyoming, and that the items therein enumerated are copied from the original vouchers now on file in this office.

Witness my hand and seal of office this 3d day of January, 1898.

[SEAL.]

WILLIAM O. OWEN, *State Auditor*.

YELLOWSTONE NATIONAL PARK FUND.

Amount of appropriation	\$9,000.00	
Amount of fines collected	176.25	
Amount expended as per itemized vouchers in office of state auditor of Wyoming		\$7,450.73
Returned to general fund of State as unexpended balance, March 31, 1887		725.52
Total	8,176.25	8,176.25

YELLOWSTONE NATIONAL PARK LAWS.

Amount of appropriation	\$250.00	
Amount expended as per itemized vouchers in office of state auditor of Wyoming		\$173.80
Amount reported to general fund as unexpended balance, March 31, 1886		76.20
Total	250.00	250.00

TELEGRAMS RELATING TO YELLOWSTONE NATIONAL PARK.

Amount of appropriation	\$500.00	
Amount expended as per itemized vouchers in office of state auditor of Wyoming		\$155.91
Amount returned to the general fund of the Territory as unexpended balance, March 31, 1886		344.09
Total	500.00	500.00

No benefits accrued to the Territory of Wyoming other than those which were shared alike by the whole country. Her officers, realizing that the park needed looking after and assuming the responsibility of guardianship, in view of the fact that the National Government had failed to make proper provisions, enacted the necessary laws and taxed her people for the requisite amount of money to provide that protection which it was the duty of the General Government to provide. The copy of the accounts certified to by State Auditor Owen demonstrates that the money was judiciously expended, and no interest has been charged the Government for the money so disbursed. Hence it is the unanimous opinion of your committee that the amount is justly due the State of Wyoming and should be paid.

They therefore recommend the passage of the bill.

THE HISTORY OF THE UNITED STATES

OF THE

UNITED STATES

OF AMERICA

FROM 1776 TO 1876

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